

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOUGLAS K. KARPF

v.

MASSACHUSETTS MUTUAL LIFE
INSURANCE COMPANY, ET AL.

CIVIL ACTION

NO. 10-1401

O R D E R

AND NOW, this 5th day of February, 2019, upon consideration of Defendant's Amended Motion in Limine (ECF No. 98), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED IN PART** insofar as Plaintiff will be precluded from offering factual or lay opinion testimony that is not based on personal or first-hand knowledge or other proper evidentiary foundation.
2. The Motion is **GRANTED** insofar as Plaintiff will be precluded from offering evidence that MassMutual interfered with Plaintiff's prospective contractual relations.
3. The Motion is **GRANTED IN PART** insofar as Plaintiff's damages expert's report and testimony will not be admitted unless and until there is sufficient evidence in the trial record to provide a factual basis for the expert's damages analysis and its underlying assumptions.
4. The Motion is **GRANTED** insofar as Plaintiff will be precluded from offering evidence concerning unpaid first-year commissions.
5. The Motion is **GRANTED** insofar as Plaintiff will be precluded from presenting

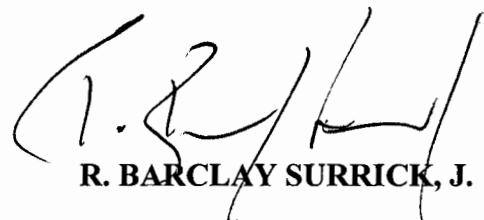
evidence concerning an “eggshell skull” theory of alleged emotional distress damages.

6. The Motion is **GRANTED** insofar as Plaintiff will be precluded from offering evidence of hearsay statements made by Plaintiff’s clients concerning Plaintiff’s role with “the company.”

7. In all other respects the Motion is **DENIED**.

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.

A handwritten signature in black ink, appearing to read "R. BARCLAY SURRICK, J." Below the signature, the name "R. BARCLAY SURRICK, J." is printed in a bold, sans-serif font.